

AMENDED IN ASSEMBLY MARCH 28, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 746

Introduced by Assembly Member Matthews

February 19, 2003

An act to add Section 490.7 to the Business and Professions Code, relating to the healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 746, as amended, Matthews. ~~Medical fraud~~ *Fraud: healing arts: revocation of professional licenses.*

Existing law establishes the State Department of Consumer Affairs, which is comprised of various boards, including, but not limited to, the Dental Board of California, the Medical Board of California, the State Board of Optometry, the California State Board of Pharmacy, and the Board of Psychology, among others, which each issue licenses.

Existing law authorizes a board to suspend or revoke a license if the licensee has been convicted of a crime that is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

Existing law provides for the Medi-Cal program, pursuant to which ~~medical~~ *health care* benefits are provided to public assistance recipients and certain other low-income persons, *including dental benefits under the Denti-Cal element of the Medi-Cal program.* Under existing law, the Director of Health Services is required to suspend the participation in the Medi-Cal program by a provider of services for conviction of any felony or any misdemeanor involving fraud, ~~among other things.~~

This bill would require a board *within the department, the Osteopathic Medical Board of California, and the State Board of Chiropractic Examiners* to revoke a license if the licensee has more than one conviction for any felony or misdemeanor involving fraud committed by the licensee in his or her capacity as a provider of services under the Medi-Cal program *or the Denti-Cal element of the Medi-Cal program*.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 490.7 is added to the Business and
- 2 Professions Code, to read:
- 3 490.7. (a) A board shall revoke a license, pursuant to Section
- 4 490, if the licensee is licensed pursuant to Division 2 (commencing
- 5 with Section 500) and has more than one conviction of any felony
- 6 or misdemeanor involving fraud committed by the licensee in his
- 7 or her capacity as a provider of services under the Medi-Cal
- 8 program, *including the Denti-Cal element of the Medi-Cal*
- 9 *program*, pursuant to Chapter 7 (commencing with Section
- 10 14000), or Chapter 8 (commencing with Section 14200), of Part
- 11 3 of Division 9 of the Welfare and Institutions Code.
- 12 (b) "Board," as used in this section, *includes each board in*
- 13 *Division 2 (commencing with Section 500) and also includes the*
- 14 *Osteopathic Medical Board of California and the State Board of*
- 15 *Chiropractic Examiners*.

